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Attorney File Ref: 102792-395 (11056P3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Daniel Jeremy CRAVEN et al.
Serial No.: 10/521136
Filed: 12.Jan.2005
Examiner: Neil LEVY
Art Group: 1615
Title: INSECTICIDAL COILS

PER TELEFAX: (571) 273-8300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 – 1450

20 October 2008

Dear Sir;

RESPONSE

This paper is responsive to the *Restriction Requirement* dated 30.Sep.2008.

At the outset, the applicant TRAVERSES the Examiner's requirement as to the election of a specific species of "added nitrate, nitrite, boron compound, silicate, carbonate or phosphate", as to the required election between insecticides "citronella, neem oil, transfluthrin, ..."

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With regard to the former, it appears that the Examiner has failed to fully identify the scope of the cited materials which may be incorporated in the wet pulp or molded pulp of the claimed article of the invention. The proper scope should read "... nitrate, nitrite, boron compound, silicate, carbonate, bicarbonate, or phosphate." With regard to the latter, it appears that the Examiner had failed to fully identify the scope of the applicant's identified pesticides a/o insecticides but only included a subset of these materials; see claim 48. In that claim the proper scope reads "... pyrethroids including, esbiothrin, d-allethrin, prallethrin, transfluthrin, bioallethrin, esbioallethrin and pyrethrins, citronella, neem oil and mixtures thereof." The applicant thus presumes that the proper election of species should be based on the full species as identified on claim 48, and not on the fragmentary subset indicated by the Examiner.

It is the applicant's position that notwithstanding the Examiner's comments that the subject matter of the claims are sufficiently proximate and overlapping in technical nature that a search on one group of claims would likely result in a sufficiently broad search ample to assess the patentability of *all* of the claims.

Nonetheless, if the Examiner does not withdraw the outstanding *Restriction Requirement*, the applicant provisionally elects the following with TRAVERSE:

Species of pesticide: "pyrethroids including, esbiothrin, d-allethrin, prallethrin, transfluthrin, bioallethrin, esbioallethrin "

Species of additive to wet pulp or molded pulp: "nitrate"

It is believed that the following claims are relevant to the elected species: 1, 2, 3, 7, 8, 9, 12, 15, 27, 29, 31, 33, 36, 41, 42, 43, 44, 46, 47, 48.

The applicant expressly reserves their right to reinstate any non-elected subject matter indicated this paper in a later filed application.

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CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

Respectfully Submitted;

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20 October 2008

Date:

Certification of Telefax Transmission:
I hereby certify that this paper is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571 273-8300 on the date shown below:

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